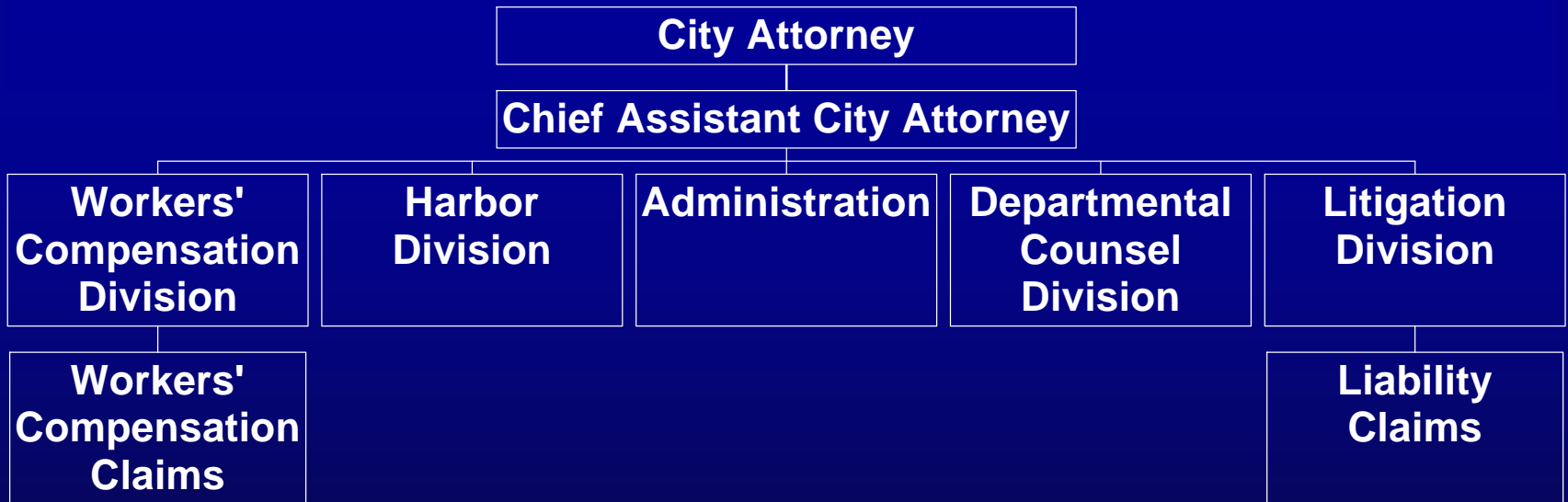


City of Long Beach  
**CITY ATTORNEY**

FY2004-2005 BUDGET  
PRESENTATION

Presented to the  
Long Beach City Council  
August 24, 2004

# OFFICE OF THE CITY ATTORNEY



# DEPARTMENTAL COUNSEL DIVISION

- ❖ Staffed by 9 attorneys, and support personnel
- ❖ The **Departmental Counsel Division** provides legal advice to all City Manager departments and to all City boards and commissions, including:
  - *The City Council*
  - *Planning Commission*
  - *Civil Service Commission*
  - *Redevelopment Agency*
  - *Housing Authority*
  - *Board of Water Commissioners*
  - *Board of Examiners*
  - *Appeals and Condemnation*
  - *Citizens' Police Complaint Commission*
  - *Long Beach Housing Development Company*

# DEPARTMENTAL COUNSEL DIVISION STATISTICS

July 1, 2003 through June 30, 2004

❖ **TOTAL ASSIGNMENTS:** 3,791

❖ **MAJOR ASSIGNMENTS BY CATEGORY:**

- *Ordinances Prepared:* 75
- *Resolutions Prepared:* 253
- *Contracts Prepared:* 1,433
- *Leases Prepared:* 44
- *Legal Opinions:* 174
- *Memorandums of Understanding Prepared:* 42
- *Permits Prepared:* 145
- *Bids Reviewed:* 20

# DEPARTMENTAL COUNSEL DIVISION STATISTICS

July 1, 2003 through June 30, 2004

## MAJOR ASSIGNMENTS BY CATEGORY:

- *Deeds Prepared or Reviewed:* 45
- *Plans & Specifications Reviewed:* 215
- *Declaration & Indemnity Agreements:* 189
- *Insurance Reviews & Approval:* 874
- *Code Enforcement Activities including Nuisances related to Bars, Hotels and Drug-related Evictions:* 115
- *Bankruptcy Claims Filed on Behalf of the City:* 10
- *Total Number of Active Bankruptcy Cases:* 157
- *Bankruptcy Collection:* \$105,045.41

## HARBOR DIVISION

- ❖ Staffed by 2.5 attorneys, and support personnel
- ❖ The **Harbor Division** provides legal advice and opinions, drafts contracts, resolutions, ordinances and other regulations for the Board of Harbor Commissioners and the Harbor Department.

# HARBOR DIVISION STATISTICS

July 1, 2003 through June 30, 2004

❖ **TOTAL ASSIGNMENTS OPENED:** **1,571**  
*(not including revisions)*

❖ **ACTIVITY BY MAJOR CATEGORIES:**

- ***Documents prepared:*** **392**  
*(contracts, leases, permits, property purchase agreements, etc.)*
- ***Board Ordinances prepared and adopted:*** **32**
- ***Board Resolutions prepared and adopted:*** **44**
- ***Formal Written Opinions and Advice:*** **107**
- ***Public Records Requests/Supoenas/Stop Notices:*** **114**
- ***Specifications and Bids reviewed:*** **46**

# WORKERS' COMPENSATION DIVISION

- ❖ Staffed by 3 attorneys, and support personnel
- ❖ The **Workers' Compensation Division** handles all workers' compensation litigation and workers' compensation administration for the City
- ❖ The Workers' Compensation Division of the City Attorney's Office is responsible for providing medical and indemnity benefits to injured employees covered by the City's Self Insured and Self Administered Workers' Compensation Program.



# WORKERS' COMPENSATION ACTIVITY

**Following the recommendations from the recent report by Deloitte & Touche, the Workers' Compensation Division is undergoing a complete restructuring and incorporating state of the art technology to bring the City's costs down. This restructuring will be complete in February 2005, in time to reap the significant benefits made available by the recent legislative changes.**

# WORKERS' COMPENSATION DIVISION STATISTICS

July 1, 2003 through June 30, 2004

❖ Total Amount Paid: \$15,724,520

*(\$7,738,900 – permanent disability and wage loss)*

*(\$7,985,620 – medical expenses)*

❖ This represents a \$3.25 million decrease from fiscal 2003

## NEW CLAIMS FILED

<u>YEAR</u>	<u>NUMBER OF CLAIMS</u>
2004	883
2003	1,068
2002	1,026

# LITIGATION DIVISION

- ❖ Staffed by 6 attorneys, and support personnel
- ❖ The **Litigation Division** handles all litigation on behalf of the City before judicial and administrative bodies including:
  - *Actions involving personal injury & property damage*
  - *Civil rights violations*
  - *Excessive force*
  - *Constitutional issues*
  - *Personnel disputes*
  - *Dangerous conditions of public property*
  - *Breach of contract*
  - *Real estate issues*

# LITIGATION DIVISION STATISTICS

July 1, 2003 through June 30, 2004

- Total Active Litigation Cases: 269
- Total Number of Governmental Tort Claims: 937
- Total Number of Jury Trials with Verdict/Judgment in favor of the City of Long Beach 9 of 14.
- Total Number of Court Trials with Verdict/Judgment in favor of the City of Long Beach 2 of 2.
- Payments made on claims and lawsuits FY 03-04: \$6,793,994
- Money recovered for City of Long Beach: \$856,361

# LITIGATION DIVISION STATISTICS

July 1, 2003 through June 30, 2004

## FOUR YEAR HISTORY

- ❖ Average Yearly Payments in the last 4 years: \$2,859,963
- ❖ In the last four years, over **74%** of all jury trials and Appellate Court decisions have been rendered in favor of the City of Long Beach.

# LITIGATION DIVISION

## **Average Litigation Caseloads in Surveyed California Cities**

**30 - 35**

**Active Cases per Litigator**

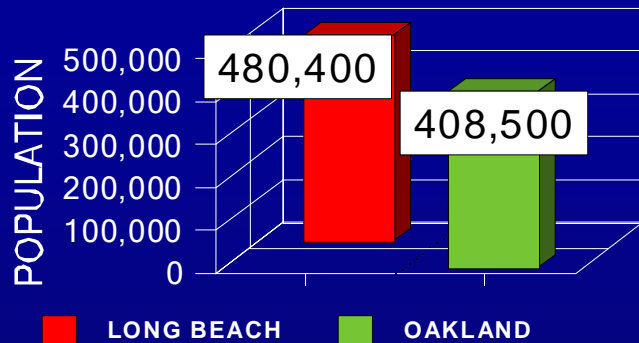
## **The Average Litigation Caseload in the Long Beach City Attorney's Office**

**45**

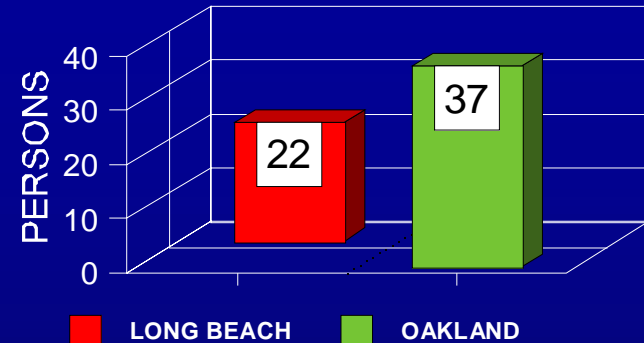
**Active Cases per Litigator**

# LONG BEACH vs. OAKLAND

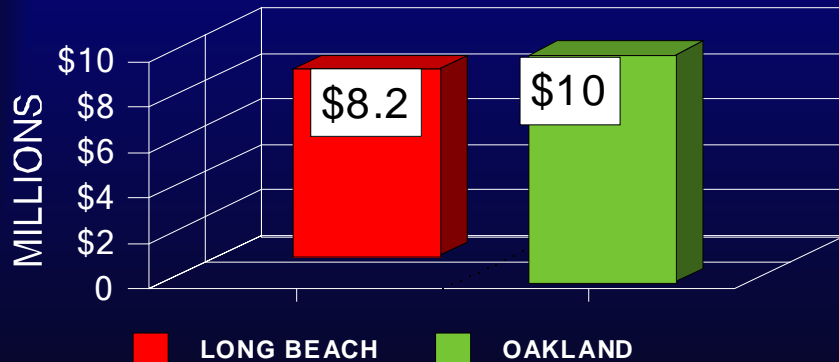
## POPULATION, 2003 (Est.)



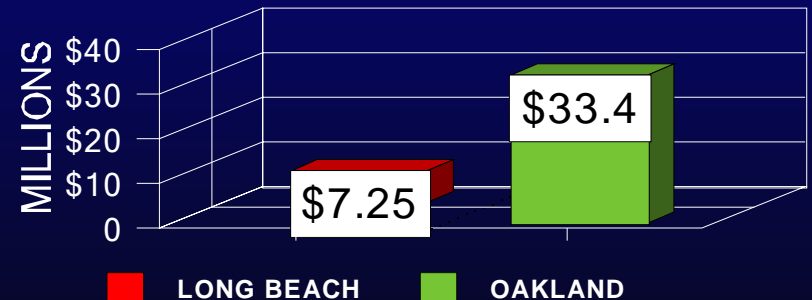
## NUMBER OF ATTORNEYS



## OPERATING BUDGET



## TOTAL LAWSUIT PAYMENTS (1999 - 2003)



# CITY ATTORNEY BUDGET

	FY 04 Adopted (in millions)	FY 04 ETC (in millions)	FY 05 Proposed (in millions)
Expenditures	\$8.272	\$7.526	\$9.021*
Staffing (FTEs)	75	75	75**

**\*Increase due to PERS and other fringe benefits**

**\*\*Four positions will remain vacant for FY 05  
resulting in a salary savings of \$419,005**





